

DECLARATION FOR PATENT APPLICATION

Attorney Docket 1218

As a below-named inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

I/We believe I/we am/are the original inventor, first and sole (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

Use of vasopressin antagonists  
the specification of which: (check one)

☐ is attached hereto.

☒ was filed on 4 Nov. 1998, as Serial No. PCT/EP98/07033,  
and was amended on 4 May 2000 09/530,693 (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

<u>197 48 763.7</u>	<u>Germany</u>	<u>05 / 11 / 1997</u>	Priority Claimed
(Application No.)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>                    </u>	<u>                    </u>	<u>      /      /      </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>                    </u>	<u>                    </u>	<u>      /      /      </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Application No.)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Suet M. Chong, Reg. No. 38,104; Todd L. Juneau, Reg. No. 40,669; Patricia M. Drost, Reg. No. 29,790; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; David Milligan, Reg. No. 42,893 and Robert G. Lev, Reg. No. 30,280; David R. Murphy, Reg. No. 22,751; Paul A. Sacher, Reg. No. 43,418; Gregory B. Kang, Reg. No. P-45,273; Scott F. Yarnell, P-45,245; as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Direct Telephone Calls to:

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Send Correspondence to:  
NATH & ASSOCIATES  
Sixth Floor  
1030 15<sup>th</sup> Street, N.W.  
Washington, D.C. 20005 U.S.A.

We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.)	(U.S. Filing Date)	(Status--patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(U.S. Application Serial No.)	(U.S. Filing Date)	(Status--patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>

## DECLARATION FOR PATENT APPLICATION

Attorney Docket 24218

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We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Hans Peter ZENNERInventor's Signature XDate 28.05.2000Residence: D-72070 Tuebingen - GermanyCountry of Citizenship: GermanyPost Office Address: Burgholzweg 149, D-72070 Tuebingen, GermanyFull name of second inventor: J. Peter RUPPERSBERGInventor's Signature XDate 29.5.2000Residence: D-72072 Tuebingen, GermanyCountry of Citizenship: GermanyPost Office Address: Allensteiner Weg 5, D-72072 Tuebingen - GermanyFull name of third inventor: Hubert LOEWENHEIMInventor's Signature XDate 28.05.2000Residence: D-72076 Tuebingen - GermanyCountry of Citizenship: GermanyPost Office Address: Philipp-von-Heck-Strasse 1, D-72076 Tuebingen - Germany

Full name of fourth inventor: \_\_\_\_\_

Inventor's Signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: \_\_\_\_\_

Country of Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

Applicant or Patentee: \_\_\_\_\_  
Serial or Patent No.: \_\_\_\_\_  
Attorney Docket No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: Use of vasopressin antagonists \_\_\_\_\_

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Otogene Aktiengesellschaft  
ADDRESS OF CONCERN Vor dem Kreuzberg 17, D-72070 Tuebingen

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees in the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Use of vasopressin antagonists

by inventor 1) Hans Peter ZENNER, 2) J. Peter RUPPERSBERG, 3) Hubert LOEWENHEIM  
described in

- [<sup>x</sup>] the specification filed herewith  
[ ] application serial no. \_\_\_\_\_,  
filed \_\_\_\_\_.  
[ ] patent no. \_\_\_\_\_,  
issued \_\_\_\_\_.


If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R.

**NAME** Otogene Aktiengesellschaft

[ ] INDIVIDUAL ☒ SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

ADDRESS

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. 1.28(b))

NAME OF PERSON SIGNING	Dr. Christof Antz	Hans-Jörg Bergler
TITLE OF PERSON OTHER THAN OWNER	CSO	CFO
ADDRESS OF PERSON SIGNING	Schwäzlocher Str.60 72070 Tübingen	Gottlob Breuning Str. 8 72070 Tübingen
SIGNATURE		DATE 29.05.2000

SIGNATURE  DATE 29.05.2000